

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

LEIGHTON TECHNOLOGIES LLC,)
)
Plaintiff,)
)
vs) Case No.
) 04-cv-02496 (CM) (LMS)
OBERTHUR CARD SYSTEMS, S.A.,)
OBERTHUR CARD SYSTEMS OF)
AMERICA CORPORATION,)
)
Defendants.)

ORIGINAL

Deposition of Richard Smith

taken on

Wednesday, November 16, 2005

Reported by: Emma P.J. White

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1 "Other processes which require
2 controlled amounts of heat, pressure and
3 time can also be included within the
4 existing machine parameters".

5 What other processes are you describing here?

6 A. It wasn't describing any given process.
7 It was giving the information to show that the machine
8 is flexible inasmuch as it can vary its pressures and
9 temperatures.

10 Q. In the third paragraph you talk about, "An
11 hydraulically operated electrically heated platten".
12 What is the purpose of the platten?

13 A. They are the surfaces that come together
14 and compress the plastic material. A platten can be
15 defined as a sheet of metal.

16 Q. Let's turn to page 6 of Exhibit A, please.

17 Looking at 3.3A through 3.3E, could
18 you describe for us, please, when each of these five
19 described phases occurred relative to each other?

20 A. 3.3A to 3.3E and including F is the
21 sequence of events through the machine cycle.

22 Q. So, when you say, "Sequence of events", do
23 you mean that at first the low pressure would occur,
24 and then the lamination temperature being increased
25 and held to the fusion point would occur, then there

1 would be the hold point? Is that what you mean?

2 A. That is correct.

3 Q. If you could look with me, please, on the
4 next page there is a temperature and pressure
5 diagram. You have seen that diagram before, haven't
6 you, Mr. Smith?

7 A. I have.

8 Q. Now, there are two lines that are shown in
9 the diagram, and for the purposes of the record, one
10 of the lines is a solid line, and one of the lines
11 is a dotted line. Is that correct?

12 A. That's correct.

13 Q. The solid line, I take it, shows pressure
14 over time. Is that right?

15 A. That's correct.

16 Q. The dotted line shows temperature over time;
17 right?

18 A. That's correct, yes.

19 Q. Time is reflected in a general sense on
20 the horizontal line that is drawn on the bottom of
21 the diagram; right?

22 A. That's correct, yes.

23 Q. Does this diagram show how the Series 6
24 laminator that is described in this instruction
25 manual typically -- again, I understand it would be

1 in a general sense -- operate during the lamination
2 process?

3 A. Yes.

4 Q. It shows that the solid line, which is
5 pressure, reaches a plateau, I will describe it as,
6 if you can see -- you see that point where it levels
7 off there on the diagram?

8 A. Yes, I can.

9 Q. Could you put, on your version, could you
10 put a, "T1", at that point, please? You can write
11 it with a pencil.

12 A. I am a little uncertain of where you are
13 referring to.

14 Q. I am referring to the initial point where
15 it appears that the pressure levels off.

16 Why do you steady the pressure, or --
17 "Stabilize". I will use that word. Why does the
18 pressure stabilize at that point, T1? What is the
19 purpose of that?

20 A. We have defined, in our earlier conversation,
21 that we are using a low pressure and a high pressure.
22 Therefore, point T1 is where it reaches its initial
23 low pressure, and then waits for the temperature in
24 the product to rise to its fusion temperature.

25 Q. If you will turn back to 3.3A on page 6,